

**68th LEGISLATURE—REGULAR SESSION Ch. 125**

SECTION 16. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed the Senate on April 7, 1983: Yeas 30, Nays 0; passed the House on May 6, 1983: Yeas 142, Nays 0, one present not voting.

Approved May 17, 1983.

Effective Oct. 1, 1983.

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**HEARING AIDS—EARMOLD IMPRESSIONS BY  
AUDIOLOGISTS AND DISPENSATION  
OR FIT BY MAIL**

**CHAPTER 125**

**S. B. No. 1100**

**AN ACT**

relating to exemption from regulations of certain audiologists making earmold impressions and to certain prohibited acts by an unlicensed person; providing a penalty; amending Section 19 and Subsection (a) of Section 15, Chapter 366, Acts of the 61st Legislature, Regular Session, 1969, as amended (Articles 4566-1.19 and 4566-1.15, Vernon's Texas Civil Statutes).

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 19, Chapter 366, Acts of the 61st Legislature, Regular Session, 1969, as amended (Article 4566-1.19, Vernon's Texas Civil Statutes), is amended<sup>45</sup> to read as follows:

"Section 19. Exceptions. Nothing in this Act shall be construed to apply to the following:

"(1) Persons engaged in the practice of measuring human hearing as a part of the academic curriculum of an accredited institution of higher learning, provided such persons or their employees do not sell hearing aids.

45. Vernon's Ann.Civ.St. art. 4566-1.19.

Additions in text indicated by underline; deletions by [strikeout]

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"(2) Physicians and surgeons duly licensed by the Texas State Board of Medical Examiners and qualified to practice in the State of Texas.

"(3) An individual with a master's or doctorate degree in audiology from an accredited college or university may engage in the measurement of human hearing by the use of an audiometer or by any means for the purpose of making selections and adaptations of or recommendations for a hearing aid and the making of impressions for earmolds to be used as part of a hearing aid, provided such persons do not sell hearing aids."

SECTION 2. Subsection (a), Section 15, Chapter 366, Acts of the 61st Legislature, Regular Session, 1969, as amended (Article 4566-1.15, Vernon's Texas Civil Statutes), is amended<sup>46</sup> to read as follows:

"(a) It is unlawful for any person to:

"(1) buy, sell, or fraudulently obtain a license to fit and dispense hearing aids or aid or abet therein;

"(2) alter a license to fit and dispense hearing aids with the intent to defraud;

"(3) willfully make a false statement in an application to the Texas Board of Examiners of Fitters and Dispensers of Hearing Aids for a license, a temporary training permit or for the renewal of a license;

"(4) falsely impersonate any person duly licensed as a fitter and dispenser of hearing aids under the provisions of this Act;

"(5) offer or hold himself out as authorized to fit and dispense hearing aids, or use in connection with his name any designation tending to imply that he is authorized to engage in the fitting and dispensing of hearing aids, if not so licensed under the provisions of this Act;

46. Vernon's Ann.Civ.St. art. 4566-1.15, subsec.  
(a).

Additions in text indicated by underline; deletions by [strikeouts]

"(6) engage in the fitting and dispensing of hearing aids during the time his license shall be cancelled, suspended or revoked;

"(7) dispense or fit a hearing aid on any individual who has ordered such hearing aid or device by mail unless the person dispensing and fitting such hearing aid or device is licensed under this Act."

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on April 5, 1983: Yeas 29, Nays 1; Senate concurred in House amendment on May 4, 1983, by a viva-voce vote; passed the House, with amendment, on April 29, 1983, by a non-record vote.

Approved May 17, 1983.

Effective Aug. 29, 1983, 90 days after date of adjournment.

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**TEXAS LEGISLATIVE COUNCIL AND LEGISLATIVE  
INFORMATION SYSTEM COMMITTEE**

**CHAPTER 126**

**S. B. No. 1110**

**AN ACT**

relating to the membership, powers, duties, functions, and operations of the legislative council; amending Sections 1, 1a, 2, and 3, and adding Section 3A, Chapter 324, Acts of the 51st Legislature, Regular Session, 1949 (Article 5429b, Vernon's Texas Civil Statutes); repealing Chapter 334, Acts of the 63rd Legislature, Regular Session, 1973 (Article 5429c-2, Vernon's Texas Civil Statutes).

Additions in text indicated by underline; deletions by [strikeouts]